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REMARKS/ARGUMENTS

This amendment is in response to the Office Action mailed on October 17, 2003, wherein Claims 1-14 were rejected. Claims 1, 8, and 12 have been amended and Claims 1-14 remain pending.

Claim Rejections Under 35 U.S.C § 102 and 103

On page 2 of the Office Action Claims 1, 2, 4, 5, and 8 were rejected under 35 U.S.C § 102(e) as being anticipated by Taguchi. Claims 6, 7, and 9-14 were rejected under 35 U.S.C. § 103 as being unpatentable over Taguchi in view of Yamanaka. Applicants have amended the claims to better describe the present invention as substantially preventing air flow through a cylinder when the variable displacement internal combustion engine is operating in a partially displaced operating mode. Taguchi and Yamanaka are silent with respect to preventing air flow through a cylinder in a variable displacement engine. Taguchi tangentially discloses the cut off of fuel delivery to a cylinder, in column 1, lines 10-15 and Yamanaka tangentially discloses changing which cylinders are injected with fuel, in column 1, lines 35-40. Taguchi and Yamanaka, singly or in combination, do not teach or suggest the present claimed invention.

If the Examiner relies on personal knowledge that the apparatus of the present invention is obvious, Applicants respectfully request support for this assertion in the form of an affidavit that shall be subject to contradiction or explanation by the affidavits of the Applicant and other persons under 37 C.F.R. 1.104 (d)(2).

Conclusion

The entire Office Action dated October 17, 2003 has been carefully reviewed, and this response is submitted as being fully responsive thereto. In view of the preceding remarks, Applicants respectfully submit that Claims 1-14 are in condition for allowance and respectfully request such action at the Examiner's earliest convenience. If the Examiner believes that personal contact would be advantageous to the disposition of this case, he is requested to call the undersigned at his earliest convenience.

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If for some reason a fee needs to be paid, please charge Deposit Account No. 07-0960 for the fees, which may be due.

Respectfully submitted,



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